IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.1889 OF 1990

M/s.Kanti Metal Corporation .. Plaintiffs

Versus

M/s.S.S.Industries Engineers .. Defendants

Mr.N.P.Jain i/b S.K.Jain for plaintiffs

Mr.Harshad Mehta i/b K.R.Parekh for defendants.

CORAM : P.V.KAKADE, J.

DATE : 25TH AUGUST, 2004.

P.C.:

1. Heard advocates for both the parties. They have filed the consent terms, which are taken on record and marked as "X" for identification. The suit is decreed in terms of the Consent Terms with special references to paras 2 and 3 with no order as to costs. The suit stands disposed of in terms of the consent terms.

2. It is submitted that the defendant is out of India

and therefore, is not in a position to sign the consent terms, however, his advocate has signed the consent terms and has agreed on instructions from the defendants to make the payments vide paras 2 and 3 of the consent terms.

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